

Transcript of the Testimony of

**ROBIN MESEY**

August 19, 2020

MESEY vs CITY OF VAN BUREN

1:19-CV-71



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Robin Mesey

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8/19/2020

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

ROBIN MESEY and  
JENNIFER MESEY,

Plaintiffs,

vs.

Case No. 1:19-CV-71

CITY OF VAN BUREN,  
MISSOURI, et al.,

Defendants.

DEPOSITION OF MR. ROBIN MESEY,

produced, sworn, and examined on Wednesday,  
August 19, 2020, at 11:21 a.m. of that day, at  
the Phelps County Courthouse, 200 Main Street,  
Rolla, Missouri, before me, ERICA A. WHITE, CCR,  
in the above-captioned cause; taken on behalf  
of the Defendants City of Van Buren and  
Chief Alonzo Bradwell.

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A P P E A R A N C E S

For Plaintiff: MR. JAMES W. SCHOTTEL, JR.  
SCHOTTEL & ASSOCIATES, P.C.  
906 Olive Street  
St. Louis, MO 63101  
(314)421-0350

For Defendants MR. DAMON S. PHILLIPS  
City of Van Buren KECK & PHILLIPS  
and Bradwell: 3140 E. Division Street  
Springfield, MO 65802  
(417)890-8989

For Defendant MS. PORTIA C. KAYSER  
Charles Roper: FISHER PATTERSON  
SAYLER & SMITH  
1010 Market Street  
Suite 1650  
St. Louis, MO 63101  
(314)561-3675

Also Present: Ms. Jennifer Mesey

I N D E X

Testimony of

MR. ROBIN MESEY: Page 4

By Mr. Phillips: 4

By Ms. Kayser: 49

REPORTER'S CERTIFICATE: 64

Phonetic spellings are signified by: (ph.).

Exactly as stated: (sic).

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Whereupon,

MR. ROBIN MESEY,

Plaintiff herein, being produced, sworn, and

examined, testified as follows:

EXAMINATION

BY MR. PHILLIPS:

Q. Could you please state your name?

A. Robin Mesey.

Q. Mesey?

A. Mesey, M-e-s-e-y. Mesey.

Q. Okay. Mr. Mesey, my name is Damon Phillips. I

represent the City of Van Buren and Chief Bradwell.

And you understand that you've sued those two

clients of mine in this lawsuit. Correct?

A. Yes.

Q. I'm going to ask you some questions today. After

I've asked you some questions, I imagine that other

attorneys may have questions for you as well. Do

you understand that you're under oath?

A. Yes.

Q. And you understand that what you say today has to be

the truth just as if you were in a court of law?

A. Yes.

Q. Have you ever been in a deposition before?

A. No.

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E X H I B I T S

EXHIBIT DESCRIPTION PAGE

RM 1 Interrogatory answers 48

RM 2 Van Buren Police 51

Department incident

report

(Originals of Exhibits 1 and 2 were attached to

the original transcript. Scans sent to

Mr. Phillips, Ms. Kayser, and Mr. Schottel.)

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Q. In ordinary speech people have a tendency to speak

over each other. You and I haven't done that yet,

but I wouldn't be surprised if we did because that's

just how people talk. I'm going to try and be aware

as we talk that we're making a record and so I'm

going to try not to speak over you. And I apologize

if I do. I'd ask you to do the same and try not to

speak over me. Is that okay?

A. Yes.

Q. When I ask you questions, sometimes I think you're

probably going to know the answer pretty quickly and

other times, unfortunately, I may word a question

poorly, and it may be confusing. Can you agree to

tell me if I ask you a badly worded question so I

can try and rephrase it?

A. Yes.

Q. By the same token if you answer a question, is it

fair for me to assume that you believed you

understood the question?

A. Yes.

Q. I don't really think we're going to take a great

deal of time today. But if there's a point during

the deposition where you feel you need to take a

break either to use the restroom, get a drink, or

just stretch your legs, can you agree to tell me

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<p style="text-align: right;">Page 6</p> <p>1 that so that we can take a break?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. You stated your name on the record. Have you</p> <p>4 ever had any other names?</p> <p>5 A. No.</p> <p>6 Q. What's your current age?</p> <p>7 A. I'm 41.</p> <p>8 Q. What's your date of birth?</p> <p>9 A. November 1st, 1978.</p> <p>10 Q. And, Mr. Mesey, I'm not trying to pry into your</p> <p>11 medical background or anything like that, but I do</p> <p>12 need to know if you're currently under the influence</p> <p>13 of any medication or any substance that you think</p> <p>14 may interfere with your ability to understand the</p> <p>15 questions today.</p> <p>16 A. No.</p> <p>17 Q. And I understand that you're married; is that right?</p> <p>18 A. Yes.</p> <p>19 Q. And what's your spouse's name?</p> <p>20 A. Jennifer Mesey.</p> <p>21 Q. And is she in the courtroom with us today?</p> <p>22 A. Yes.</p> <p>23 Q. I don't -- I apologize for putting you on the spot</p> <p>24 with this question, but how long have you been</p> <p>25 married?</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. Is that the same place that you were living during</p> <p>2 the incident at issue in this lawsuit?</p> <p>3 A. No, it is not.</p> <p>4 Q. How long have you been at this Earl Street address?</p> <p>5 A. We've -- we've owned the home for ten years, but</p> <p>6 there was a short period of time right after the</p> <p>7 flood that we stayed with her father. And that's</p> <p>8 where the incident took place, over there.</p> <p>9 Q. Okay.</p> <p>10 MR. SCHOTTEL: Objection. Nonresponsive.</p> <p>11 Try to answer the question again. I don't</p> <p>12 think you answered it.</p> <p>13 MR. PHILLIPS: I feel he answered it.</p> <p>14 MR. SCHOTTEL: I thought you said how long, a</p> <p>15 time period.</p> <p>16 MR. PHILLIPS: That's fine. I was really</p> <p>17 looking for an approximation.</p> <p>18 MR. SCHOTTEL: Okay.</p> <p>19 Q. (By Mr. Phillips) So you have owned the Earl Street</p> <p>20 address for several years, but after the flood that</p> <p>21 affected Van Buren, there was a period of time where</p> <p>22 you lived with your father-in-law?</p> <p>23 A. Correct.</p> <p>24 Q. And it was at your father-in-law's residence -- or</p> <p>25 at least around there that that incident occurred;</p>
<p style="text-align: right;">Page 7</p> <p>1 A. Since 2016.</p> <p>2 Q. Okay. Do you have any children?</p> <p>3 A. Yes.</p> <p>4 Q. Could you state their names and ages?</p> <p>5 A. Michael. He's 18. Yeah. 18. Chloe. She is 16 --</p> <p>6 or 17. She just turned 17. Charlie. He's 13. And</p> <p>7 Robbie. He's 14.</p> <p>8 Q. And do they all have the same last name as you?</p> <p>9 A. No. Charlie and Robbie have the same. And Michael</p> <p>10 and Chloe, their last name is Huffman.</p> <p>11 Q. I'm sorry?</p> <p>12 A. Huffman.</p> <p>13 Q. How do you spell that?</p> <p>14 A. H-u-f-f-m-a-n.</p> <p>15 Q. Do any of them live with you?</p> <p>16 A. Two of them.</p> <p>17 Q. Which two?</p> <p>18 A. Robbie and Charles.</p> <p>19 Q. And where do the other two live?</p> <p>20 A. With their aunt.</p> <p>21 Q. I don't need an address exactly, but can you tell me</p> <p>22 what town they live in?</p> <p>23 A. Alton, Illinois.</p> <p>24 Q. Okay. What is your home address?</p> <p>25 A. 1115 Earl Street, Van Buren, Missouri.</p>	<p style="text-align: right;">Page 9</p> <p>1 right?</p> <p>2 A. Yes.</p> <p>3 Q. Who lives with you at the Earl Street address other</p> <p>4 than your wife and the two kids you mentioned?</p> <p>5 Anyone else?</p> <p>6 A. No.</p> <p>7 Q. Do you remember the address of your father-in-law,</p> <p>8 where this incident occurred?</p> <p>9 A. I believe it was 1512 Dale Street.</p> <p>10 Q. And was that also in Van Buren, Missouri?</p> <p>11 A. Yes.</p> <p>12 Q. During the approximate time frame of this incident,</p> <p>13 who lived at that location?</p> <p>14 A. Myself, my wife, three of our children, and my</p> <p>15 wife's father.</p> <p>16 Q. And which three of your children were living there?</p> <p>17 A. It would have been Robbie, Charlie, and Michael.</p> <p>18 Q. What's your wife's father's name?</p> <p>19 A. Michael Mester.</p> <p>20 Q. How do you spell the last name?</p> <p>21 A. M-e-s-t-e-r.</p> <p>22 Q. What type of dwelling is that?</p> <p>23 A. What do you mean?</p> <p>24 Q. Is it a house? An apartment?</p> <p>25 A. Okay. It's a house.</p>

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<p style="text-align: right;">Page 10</p> <p>1 Q. How many stories are there?</p> <p>2 A. One.</p> <p>3 Q. How many bedrooms?</p> <p>4 A. Two.</p> <p>5 Q. And you were staying there because of the flood;</p> <p>6 right?</p> <p>7 A. Yes. While I was working on our home re- -- doing</p> <p>8 some remodeling.</p> <p>9 Q. Sounds like it was pretty cramped, huh?</p> <p>10 A. Uh-huh.</p> <p>11 Q. Do you remember -- and I don't need an exact date,</p> <p>12 but approximately how long you were at that</p> <p>13 location?</p> <p>14 A. Maybe around a year.</p> <p>15 Q. Do you remember roughly when the flood was?</p> <p>16 A. April of 2017.</p> <p>17 Q. And that's fine.</p> <p>18 A. Somewhere in there.</p> <p>19 Q. You said that you were working on your house during</p> <p>20 this time frame while living with your father-in-law;</p> <p>21 is that right?</p> <p>22 A. Correct.</p> <p>23 Q. What is it that you do -- or did for a living back</p> <p>24 then?</p> <p>25 A. What was I doing? At that point in time I was</p>	<p style="text-align: right;">Page 12</p> <p>1 Q. I understand 2003 was quite a while ago. Do you</p> <p>2 remember the specific disposition that you got?</p> <p>3 A. What do you mean?</p> <p>4 Q. Well, do you remember if you got six months'</p> <p>5 probation with a year of jail backup sentence or</p> <p>6 anything like that or you just remember being on</p> <p>7 probation?</p> <p>8 A. I believe it was probation with community service.</p> <p>9 Q. Okay. And that was through Carter County?</p> <p>10 A. Yes.</p> <p>11 Q. Any other crimes that you can remember?</p> <p>12 A. No.</p> <p>13 Q. You referred to some traffic incidents; is that</p> <p>14 right?</p> <p>15 A. Yes.</p> <p>16 Q. What kind of traffic incidents were those?</p> <p>17 A. I've gotten a speeding ticket, seat belt ticket, I</p> <p>18 believe.</p> <p>19 Q. Okay. Nothing else?</p> <p>20 A. No.</p> <p>21 Q. How are you currently employed?</p> <p>22 A. I do mechanic work.</p> <p>23 Q. Where at?</p> <p>24 A. From home.</p> <p>25 Q. Are you self-employed?</p>
<p style="text-align: right;">Page 11</p> <p>1 unemployed.</p> <p>2 Q. Could you describe your educational background?</p> <p>3 A. High school.</p> <p>4 Q. Do you have a high school diploma?</p> <p>5 A. No, I do not. I dropped out of high school.</p> <p>6 Q. What was the highest grade you made it through?</p> <p>7 A. Tenth.</p> <p>8 Q. Do you have a GED?</p> <p>9 A. No.</p> <p>10 Q. Do you have any vocational training?</p> <p>11 A. Lots of industrial construction training, stuff like</p> <p>12 that employment wise.</p> <p>13 Q. Like on-the-job type stuff?</p> <p>14 A. Yeah.</p> <p>15 Q. Have you ever been found guilty of or pled guilty to</p> <p>16 a crime?</p> <p>17 A. Yes. Traffic tickets and I had a misdemeanor theft</p> <p>18 charge.</p> <p>19 Q. Where was that at?</p> <p>20 A. Carter County.</p> <p>21 Q. Do you remember approximately when that was?</p> <p>22 A. 2003, I believe.</p> <p>23 Q. What did you get in that?</p> <p>24 A. It was, like, six months' probation, something like</p> <p>25 that.</p>	<p style="text-align: right;">Page 13</p> <p>1 A. Yeah.</p> <p>2 Q. Do you have a company?</p> <p>3 A. No. Just by reference from people I do work for.</p> <p>4 Q. Okay. So when you do work for people, it's just you</p> <p>5 doing it in your own name; right?</p> <p>6 A. Correct.</p> <p>7 Q. Do you have a website, advertisements, that sort of</p> <p>8 thing?</p> <p>9 A. No.</p> <p>10 Q. Just all word of mouth?</p> <p>11 A. Yes.</p> <p>12 Q. What kind of mechanic work do you do?</p> <p>13 A. Everything except diesel. Anything gas engine</p> <p>14 related.</p> <p>15 Q. Okay. So motor vehicles?</p> <p>16 A. Correct.</p> <p>17 Q. Lawn mowers?</p> <p>18 A. Yes.</p> <p>19 Q. And how long have you been employed in that</p> <p>20 capacity?</p> <p>21 A. Since I was a young teenager. I've been doing it</p> <p>22 all my life.</p> <p>23 Q. Okay. Have you also had other jobs?</p> <p>24 A. Yes.</p> <p>25 Q. When was the last time you had another job?</p>

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<p style="text-align: right;">Page 14</p> <p>1 A. 2017. I was a -- I did demolition through the</p> <p>2 Local 110 out of St. Louis.</p> <p>3 Q. Could you just basically or generally describe what</p> <p>4 that entailed?</p> <p>5 A. We demoed, like, Truman College in Kirksville,</p> <p>6 Missouri. We did that for a remodel. He went in</p> <p>7 and did the demolition so the guys could come in and</p> <p>8 build a new -- just get rid of the old so they can</p> <p>9 put the new in.</p> <p>10 Q. Were you anybody's employee?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. What was the name of your employer?</p> <p>13 A. Midwest Service Group.</p> <p>14 Q. And how long did you work for Midwest Service Group?</p> <p>15 A. A year and a half.</p> <p>16 Q. And that was in the time frame of 2017?</p> <p>17 A. 2016 through two thousand -- well, it was from -- I</p> <p>18 started in May of 2016. And then it ended. It was</p> <p>19 about a year. May of 2017.</p> <p>20 Q. Have you ever been a police or a law enforcement</p> <p>21 officer?</p> <p>22 A. No.</p> <p>23 Q. Do you have any law enforcement training?</p> <p>24 A. No.</p> <p>25 Q. Have you ever been in the military?</p>	<p style="text-align: right;">Page 16</p> <p>1 MR. SCHOTTEL: Objection to the form. It's</p> <p>2 vague and it -- you're discussing what you</p> <p>3 understand. So I would ask that you rephrase the</p> <p>4 question. It's confusing, but --</p> <p>5 MR. PHILLIPS: If your client understands the</p> <p>6 question, he can answer it.</p> <p>7 Q. (By Mr. Phillips) And if you don't understand the</p> <p>8 question, let me know, and I will be happy to</p> <p>9 rephrase it, Mr. Mesey.</p> <p>10 A. Could you repeat the question? I'm sorry.</p> <p>11 Q. You're claiming that two dogs were injured in this</p> <p>12 incident; right?</p> <p>13 A. Yes.</p> <p>14 Q. And you're accusing Officer Roper of shooting and</p> <p>15 killing one of those dogs; right?</p> <p>16 MR. SCHOTTEL: Objection. Vague the way it's</p> <p>17 phrased.</p> <p>18 Subject to the objection, you can answer the</p> <p>19 question.</p> <p>20 A. Could you repeat it?</p> <p>21 Q. (By Mr. Phillips) Are you claiming that</p> <p>22 Officer Roper shot and killed one of your dogs?</p> <p>23 A. Yes.</p> <p>24 Q. What was that dog's name?</p> <p>25 A. Max.</p>
<p style="text-align: right;">Page 15</p> <p>1 A. No.</p> <p>2 Q. Have you ever worked as a dog trainer?</p> <p>3 A. No.</p> <p>4 Q. Have you ever worked as a dog breeder?</p> <p>5 A. No.</p> <p>6 Q. Have you ever worked for the city of Van Buren?</p> <p>7 A. No.</p> <p>8 Q. Have you ever worked for a municipality or local</p> <p>9 government directly?</p> <p>10 A. No.</p> <p>11 Q. Other than that job you had between 2016 and 2017,</p> <p>12 did you have other jobs before that?</p> <p>13 A. Yes.</p> <p>14 Q. What did you do before that?</p> <p>15 MR. SCHOTTEL: Objection. Irrelevant. We're</p> <p>16 not making a claim for lost wages.</p> <p>17 Subject to that, you can answer the question.</p> <p>18 A. '99 to, I believe, '02, I did industrial painting.</p> <p>19 Q. (By Mr. Phillips) Okay. Is it your understanding</p> <p>20 that the incident we're talking about in this</p> <p>21 lawsuit was on February 22nd, 2019?</p> <p>22 A. Yes.</p> <p>23 Q. All right. And as I understand it, essentially</p> <p>24 you're unhappy about an incident involving two dogs;</p> <p>25 is that right?</p>	<p style="text-align: right;">Page 17</p> <p>1 Q. What kind of dog was it?</p> <p>2 A. American Bulldog.</p> <p>3 Q. Was it registered with any association? Like --</p> <p>4 A. Do you mean as far as, like --</p> <p>5 Q. Like, the American Kennel Club.</p> <p>6 A. No, it was not.</p> <p>7 Q. Any other association?</p> <p>8 A. No.</p> <p>9 Q. Was this a show dog?</p> <p>10 A. No.</p> <p>11 Q. How would you describe the fur coloring?</p> <p>12 A. Brown, white, and black.</p> <p>13 Q. What was its approximate weight?</p> <p>14 A. 85 pounds -- 80, 85, somewhere in there.</p> <p>15 Q. Did it have any specialized training such as being a</p> <p>16 helper dog?</p> <p>17 A. No.</p> <p>18 Q. Did the dog have a regular veterinarian?</p> <p>19 A. Yes.</p> <p>20 Q. Who?</p> <p>21 A. Dr. Fox in Fairdealing, Missouri.</p> <p>22 Q. I'm sorry. In where?</p> <p>23 A. Fairdealing.</p> <p>24 Q. Was the dog current on its shots?</p> <p>25 A. Yes. I believe he got his shots at a different</p>

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<p style="text-align: right;">Page 18</p> <p>1 veterinarian, though.</p> <p>2 Q. Do you know where that was?</p> <p>3 A. He's been to two -- one was Hicks, I believe. And</p> <p>4 then he also went to Dr. Fox too.</p> <p>5 Q. Dr. Hicks?</p> <p>6 A. No. Hicks is the name of the veterinary clinic in</p> <p>7 Poplar Bluff.</p> <p>8 Q. Okay. Any particular reason you switched vets?</p> <p>9 A. No. That was just for that particular visit, for</p> <p>10 one visit.</p> <p>11 Q. Was this your father-in-law's dog?</p> <p>12 A. No.</p> <p>13 Q. Where did you get the dog?</p> <p>14 A. We had his mother and father. They bred, and we had</p> <p>15 puppies. He was one of the puppies.</p> <p>16 Q. So it's fair to say you didn't buy the dog; right?</p> <p>17 A. No. We purchased his parents.</p> <p>18 Q. But no one paid for him?</p> <p>19 A. No.</p> <p>20 Q. Do you remember how much his parents cost?</p> <p>21 A. His father was \$1,500. And, I believe, I gave 500</p> <p>22 for his mother.</p> <p>23 Q. Did you buy them both from the same place?</p> <p>24 A. No.</p> <p>25 Q. Where did you get the father?</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. What were you doing for a living nine years ago?</p> <p>2 A. Was working through Grassham Chevrolet in Van Buren,</p> <p>3 Missouri.</p> <p>4 Q. Doing what?</p> <p>5 A. Mechanic/detailing.</p> <p>6 Q. Do you remember the name of your boss?</p> <p>7 A. Jeff Keene.</p> <p>8 Q. Do you remember the address that you worked at?</p> <p>9 A. 402 Main Street, I believe.</p> <p>10 Q. You said that you paid \$500 for the mother; right?</p> <p>11 A. Uh-huh.</p> <p>12 Q. I'm sorry. Is that --</p> <p>13 A. Yes. I'm sorry.</p> <p>14 Q. I don't mean to pick on you with that. It's just</p> <p>15 that we've got a record.</p> <p>16 A. Right.</p> <p>17 Q. Who did you pay \$500 to for the mother?</p> <p>18 A. I found an ad on Craigslist. There was a breeder.</p> <p>19 Q. And when did you buy the mother?</p> <p>20 A. I believe 2014.</p> <p>21 Q. Do you remember the name of the breeder?</p> <p>22 A. No.</p> <p>23 Q. Do you remember where the breeder was located?</p> <p>24 A. No.</p> <p>25 Q. What kind of dog was the father?</p>
<p style="text-align: right;">Page 19</p> <p>1 A. From a friend of ours. He could no longer keep the</p> <p>2 dog.</p> <p>3 Q. And he charged you \$1,500 for it?</p> <p>4 A. Uh-huh.</p> <p>5 Q. Sorry?</p> <p>6 A. Yes. I'm sorry.</p> <p>7 Q. What was your friend's name?</p> <p>8 A. Greg.</p> <p>9 Q. What was his last name?</p> <p>10 A. Rector.</p> <p>11 Q. How do you spell that?</p> <p>12 A. R-e-c-t-o-r.</p> <p>13 Q. Are you still in contact with Mr. Rector?</p> <p>14 A. No.</p> <p>15 Q. Do you know where Mr. Rector lives?</p> <p>16 A. No.</p> <p>17 Q. When was the last time you spoke with Mr. Rector?</p> <p>18 A. Four years -- four years ago, something like that.</p> <p>19 Q. When did you pay Mr. Rector \$1,500 for the -- this</p> <p>20 dog's father?</p> <p>21 A. Nine years ago.</p> <p>22 Q. Do you remember how you paid? Cash, check, charge?</p> <p>23 A. It would have been cash.</p> <p>24 Q. Did that cash come from both you and your wife?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 21</p> <p>1 A. American Bulldog.</p> <p>2 Q. What kind of dog was the mother?</p> <p>3 A. American Bulldog.</p> <p>4 Q. Do you have any understanding as to why one of them</p> <p>5 cost 1,500 and the other cost 500?</p> <p>6 A. The one was -- at that time when we got the father,</p> <p>7 he was -- or, no, the mother. What was that? There</p> <p>8 was papers actually on the father that we were</p> <p>9 supposed to receive and didn't. And the mother had</p> <p>10 no papers.</p> <p>11 Q. And Mr. Rector represented to you that he was a</p> <p>12 purebred Bulldog?</p> <p>13 A. Oh, yes.</p> <p>14 Q. Okay.</p> <p>15 A. I mean, I knew -- yes.</p> <p>16 Q. All right. And this -- one of their -- one of their</p> <p>17 offspring was Max?</p> <p>18 A. Correct, yes.</p> <p>19 Q. Okay. So before this incident, did you live with</p> <p>20 Max at the Earl Street residence?</p> <p>21 A. Yes.</p> <p>22 Q. And then the flood occurred and you lived with Max</p> <p>23 and your wife and kids at her father's residence;</p> <p>24 correct?</p> <p>25 A. Yes.</p>



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<p style="text-align: right;">Page 22</p> <p>1 Q. Did Max have a doghouse or some sort of outside 2 shelter at your father-in-law's place? 3 A. Yes. 4 Q. Was that in a backyard? A side yard? Or where? 5 A. Backyard. 6 Q. Was that a fenced backyard? 7 A. No. 8 Q. Was Max free to roam? 9 A. No. 10 Q. What kept him in the backyard? 11 A. His enclosure was completely -- it was enclosed. 12 Q. So there was an enclosure in the backyard that 13 contained a little shelter area where he stayed? 14 A. Yes. 15 Q. How many dogs were in there? 16 A. Him and his mother. 17 Q. Other than that enclosure in the backyard, were 18 there any other devices, like electronic fence or 19 leashes or chains or anything else to keep them from 20 roaming? 21 A. We also had a camper trailer back there that we 22 would stay in from time to time. And other than -- 23 they never -- they were always enclosed. Not free 24 to roam. 25 Q. And I'm not trying to put words in your mouth. I</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. Do you know who owned that other dog? 2 A. I do not know their name. 3 Q. Were they a neighbor? 4 A. Yes. 5 Q. Do you know what kind of dog that was? 6 A. It was a mixed breed. 7 Q. Was there anyone with the dog or was the dog just 8 roaming? 9 A. Just roaming. 10 Q. Who was with you? 11 A. Me and Max. And then after my wife heard the tussle, 12 she came out and assisted me in breaking up the 13 fight. 14 MR. SCHOTTEL: Objection. Nonresponsive. 15 The question has been answered. 16 Q. (By Mr. Phillips) So this dog approaches Max and 17 they're starting to be aggressive towards each 18 other; right? 19 A. The other dog started to be aggressive. 20 Q. And your dog got aggressive back; correct? 21 A. Correct. 22 Q. And at that point you start trying to pull them 23 apart; is that right? 24 A. Correct. 25 Q. And your wife is able to hear this; correct?</p>
<p style="text-align: right;">Page 23</p> <p>1 want to make sure what you were trying to tell me. 2 Were you saying that there was a camper back there 3 that you would stay in? 4 A. Yes. 5 Q. And that sometimes Max would stay in there with you? 6 A. Yes. 7 Q. Okay. Did Max ever stay inside the residence itself? 8 A. Yes. 9 Q. Was Max housebroken? 10 A. Yes. 11 Q. Approximately how old was Max at the time of this 12 incident? 13 A. Two. 14 Q. Prior to this incident, had Max, to your knowledge, 15 been involved in any fights with other dogs? 16 A. One. 17 Q. Tell me about that. 18 A. There's a black dog that lived down the street that 19 came over into our yard as we were walking him 20 around for him to go to the bathroom. And the dog 21 approached him and they were sniffing back and 22 forth. The other dog became aggressive, so my dog 23 defended himself and got aggressive right back. 24 Q. Was that other dog unrestrained and just roaming? 25 A. Yes.</p>	<p style="text-align: right;">Page 25</p> <p>1 A. Yes. 2 Q. And she comes out of the house and assists you; 3 right? 4 A. Yes. As well did the owner of the dog after he 5 heard the tussle. 6 Q. Okay. So the owner of the dog was also able to 7 hear? 8 A. (Nods head.) 9 Q. "Yes"? 10 A. Yes. 11 Q. And then he comes out too? 12 A. Yes. 13 Q. And then the three of you are able to split up the 14 dogs? 15 A. Yes. 16 Q. Okay. Do you remember approximately when that 17 occurred? 18 A. Probably three or four months prior to the -- his 19 death. 20 Q. And this was at that same residence, your 21 father-in-law's residence? 22 A. Yes. 23 Q. Did you have any other incidents with that neighbor 24 or that neighbor's dog? 25 A. No.</p>



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<p style="text-align: right;">Page 26</p> <p>1 Q. And Max is -- Max is deceased; is that correct?</p> <p>2 A. Yes.</p> <p>3 Q. Your lawsuit references a second dog; is that fair?</p> <p>4 A. Yes.</p> <p>5 Q. What was the second dog's name?</p> <p>6 A. Nina.</p> <p>7 Q. Was Nina Max's mother?</p> <p>8 A. Yes.</p> <p>9 Q. And Nina and Max, were they the only dogs that were</p> <p>10 living with you at your father-in-law's residence?</p> <p>11 A. No. We have a little brown Chihuahua also.</p> <p>12 Q. What's that dog's name?</p> <p>13 A. Bella.</p> <p>14 Q. Is that B-e-l-l-a?</p> <p>15 A. Yes.</p> <p>16 Q. What kind of dog -- is Nina still with us?</p> <p>17 A. No, she is not.</p> <p>18 Q. When did Nina pass away?</p> <p>19 A. About four months ago.</p> <p>20 Q. What kind of dog was Nina?</p> <p>21 A. American Bulldog.</p> <p>22 Q. Okay. And she's the one that you got from the</p> <p>23 breeder?</p> <p>24 A. Yes.</p> <p>25 Q. And I think you already said she didn't have any</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. But you don't have any documentation?</p> <p>2 A. Do not.</p> <p>3 Q. And you don't know the organization?</p> <p>4 A. Do not.</p> <p>5 Q. Was this a show dog?</p> <p>6 A. No.</p> <p>7 Q. Could you describe her fur coloring?</p> <p>8 A. Brown and white.</p> <p>9 Q. And approximately how much did she weigh at the time</p> <p>10 of this incident?</p> <p>11 A. 65 pounds.</p> <p>12 Q. Did she have any specialized training, like being a</p> <p>13 helper dog?</p> <p>14 A. No.</p> <p>15 Q. Did she have a regular veterinarian?</p> <p>16 A. Yes.</p> <p>17 Q. Is that Dr. Fox?</p> <p>18 A. Yes.</p> <p>19 Q. Any other vets?</p> <p>20 A. Just the one that she seen after this incident.</p> <p>21 Q. Who was that?</p> <p>22 A. Mountain View Animal Clinic. I'm not for sure of</p> <p>23 the veterinarian's name.</p> <p>24 Q. Why did you take her to Mountain View Animal Clinic</p> <p>25 instead of Dr. Fox?</p>
<p style="text-align: right;">Page 27</p> <p>1 papers; is that right?</p> <p>2 A. Yes.</p> <p>3 Q. See, that's an example of a badly worded question.</p> <p>4 A. They were an option. No. But he wanted more money</p> <p>5 for me to get the papers.</p> <p>6 Q. Okay.</p> <p>7 A. There was a set price with the papers and there was</p> <p>8 a set price --</p> <p>9 MR. SCHOTTEL: Objection. There's no</p> <p>10 question.</p> <p>11 Let him ask a question.</p> <p>12 THE WITNESS: All right.</p> <p>13 Q. (By Mr. Phillips) So was it your understanding when</p> <p>14 you were in the negotiations to purchase Nina that</p> <p>15 you could pay one price to get her without papers</p> <p>16 and another price to get her with papers?</p> <p>17 A. Yes.</p> <p>18 Q. And you went with the lower price; correct?</p> <p>19 A. Yes.</p> <p>20 Q. And I think I understand what the answer to this is,</p> <p>21 but was the dog registered with the American Kennel</p> <p>22 Club or any other similar organization?</p> <p>23 A. I'm not -- I'm not sure on which one.</p> <p>24 Q. Okay.</p> <p>25 A. But, yes, one of them.</p>	<p style="text-align: right;">Page 29</p> <p>1 A. Closer.</p> <p>2 Q. Is there any difference between the way -- I'm</p> <p>3 thinking how best to phrase this. Did Nina stay in</p> <p>4 the same shelter or enclosed area that Max did?</p> <p>5 A. Yes.</p> <p>6 Q. And did she sometimes stay in the trailer that you</p> <p>7 referenced earlier in connection with Max in the</p> <p>8 backyard?</p> <p>9 A. Yes.</p> <p>10 Q. And did she sometimes stay in the residence just</p> <p>11 like Max?</p> <p>12 A. Yes.</p> <p>13 Q. Is there any difference between the way you -- the</p> <p>14 steps you took to keep control of Nina versus the</p> <p>15 steps you took to control Max?</p> <p>16 A. No.</p> <p>17 Q. Prior to the incident that is at issue in this</p> <p>18 lawsuit, are you aware of Nina being in any fights</p> <p>19 with other dogs?</p> <p>20 A. No.</p> <p>21 Q. After this incident, are you aware of Nina being in</p> <p>22 any fights with other dogs?</p> <p>23 A. No.</p> <p>24 Q. Going back to Max, are you aware of Max attacking</p> <p>25 anyone or being aggressive with anyone before this</p>

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<p style="text-align: right;">Page 30</p> <p>1 incident?</p> <p>2 A. No.</p> <p>3 Q. Going back to Nina. Are you aware of any incident</p> <p>4 where Nina has attacked a human being or been</p> <p>5 aggressive towards a human being?</p> <p>6 A. No.</p> <p>7 Q. Let's talk about the date of this incident. Okay?</p> <p>8 A. Yes.</p> <p>9 Q. You were at this 1512 Dale Street residence that</p> <p>10 belonged to your father-in-law; correct?</p> <p>11 A. Yes.</p> <p>12 Q. Immediately prior to you going outside and this</p> <p>13 scene unfolding, who was with you in the house?</p> <p>14 A. As I was going outside?</p> <p>15 Q. No. I'm sorry. Immediately prior to that, who was</p> <p>16 with you in the house before you step outside?</p> <p>17 A. Me and my wife.</p> <p>18 Q. Was anyone else there?</p> <p>19 A. No.</p> <p>20 Q. Okay. You start to step outside; is that right?</p> <p>21 A. Yes.</p> <p>22 Q. Why did you start to step outside?</p> <p>23 A. I heard two gunshots.</p> <p>24 Q. You heard two gunshots. What do you do?</p> <p>25 A. I jump up, step outside.</p>	<p style="text-align: right;">Page 32</p> <p>1 with the Ropers during this time frame; is that</p> <p>2 fair?</p> <p>3 A. No.</p> <p>4 Q. And that's a badly worded question.</p> <p>5 Were you friends with the Ropers during this</p> <p>6 time frame?</p> <p>7 A. I was never friends with them. That was my wife --</p> <p>8 she was once upon a time my wife's friend.</p> <p>9 Q. Okay. Had you ever been to the Ropers' house?</p> <p>10 A. No.</p> <p>11 Q. Had they ever been to your house?</p> <p>12 A. She has. Their -- her son and his wife's son are</p> <p>13 friends.</p> <p>14 Q. When you say --</p> <p>15 A. They have a son and she has a son, and they're both</p> <p>16 friends.</p> <p>17 MR. SCHOTTEL: Objection. Nonresponsive. I</p> <p>18 think the question was "has she been to your house."</p> <p>19 Subject to the objection, you can answer the</p> <p>20 question.</p> <p>21 Q. (By Mr. Phillips) Let's try and break it down a</p> <p>22 little more. Okay. Have you ever been to the</p> <p>23 Ropers' house?</p> <p>24 A. No.</p> <p>25 Q. Have the Ropers ever been to your house?</p>
<p style="text-align: right;">Page 31</p> <p>1 Q. Then what happens?</p> <p>2 A. I look around. I see the officer in the street,</p> <p>3 look 20 feet from him, and see my dog laying in the</p> <p>4 road.</p> <p>5 Q. When you say "the officer," are you talking about</p> <p>6 Officer Roper?</p> <p>7 A. Yes.</p> <p>8 Q. Had you ever seen Officer Roper before?</p> <p>9 A. Yes.</p> <p>10 Q. Did you know who Officer Roper was?</p> <p>11 A. Yes.</p> <p>12 Q. How did you know who he was?</p> <p>13 A. It's a small town. Everybody knows everybody.</p> <p>14 Q. Well, do you remember ever meeting him before?</p> <p>15 A. Yes.</p> <p>16 Q. Where did you meet him at?</p> <p>17 A. My wife was friends with his wife.</p> <p>18 Q. Okay. Had you ever socialized with the Ropers?</p> <p>19 A. No.</p> <p>20 Q. Well, when you say that his wife was friends with</p> <p>21 your wife, how did they know each other?</p> <p>22 A. Past tense. As teenagers growing up together.</p> <p>23 Q. Okay. Did they go to school together?</p> <p>24 A. Yes.</p> <p>25 Q. Do you know -- that's fine. So you were not friends</p>	<p style="text-align: right;">Page 33</p> <p>1 A. Yes.</p> <p>2 Q. Did you meet them at your house?</p> <p>3 MR. SCHOTTEL: Objection. Vague as to</p> <p>4 "them," whether it was one or both.</p> <p>5 MR. PHILLIPS: I said "Ropers."</p> <p>6 MR. SCHOTTEL: Well, it could be the wife or</p> <p>7 the husband. If you want to break it down, that</p> <p>8 would be a little bit better.</p> <p>9 But subject to that, you can answer.</p> <p>10 Q. (By Mr. Phillips) Fine. We'll just break it down a</p> <p>11 little more.</p> <p>12 Has Mr. Roper ever been to a place where you</p> <p>13 live?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Other than the incident that we're talking</p> <p>16 about in this lawsuit?</p> <p>17 A. Yes.</p> <p>18 Q. When did that occur?</p> <p>19 A. Probably one of the times his wife was picking up</p> <p>20 her son.</p> <p>21 Q. So Mr. Roper's wife came to your house with</p> <p>22 Mr. Roper to pick up her son?</p> <p>23 A. He may have been waiting in the vehicle while she</p> <p>24 was picking her son up.</p> <p>25 Q. Okay. Did you see Mr. Roper and Mrs. Roper outside</p>

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<p style="text-align: right;">Page 34</p> <p>1 the day of this incident?</p> <p>2 A. Right outside the house, only one.</p> <p>3 Q. At some point did you also see Mrs. Roper there?</p> <p>4 A. She was down the street.</p> <p>5 Q. Okay. What were you doing at home when you first</p> <p>6 heard the gunshots?</p> <p>7 A. We were in the recliner and heard the shots and got</p> <p>8 up and went outside.</p> <p>9 Q. Okay. Prior to hearing the gunshots, had you heard</p> <p>10 any barking?</p> <p>11 A. No.</p> <p>12 Q. So you go outside. And the first things that you</p> <p>13 see are Max and Mr. Roper; is that right?</p> <p>14 A. Yes.</p> <p>15 Q. And what happens then?</p> <p>16 A. He was standing out there with his sidearm in his</p> <p>17 hand making sure that my dog was deceased.</p> <p>18 Q. Well, what do you mean by that? What was he doing?</p> <p>19 A. Like, waiting to see if he needed to fire another</p> <p>20 shot to finish him off.</p> <p>21 Q. How do you know that?</p> <p>22 A. Because he was investigating his body with his</p> <p>23 sidearm out.</p> <p>24 Q. What was -- okay. What was he physically doing?</p> <p>25 A. Standing there observing him with his sidearm out.</p>	<p style="text-align: right;">Page 36</p> <p>1 happens next?</p> <p>2 A. I walk out there and observe my dog, watch him take</p> <p>3 his last breath. I look at him. He's just standing</p> <p>4 there with his sidearm out. And I asked him why did</p> <p>5 he -- "Why did you shoot my dog?"</p> <p>6 Q. And what did he tell you?</p> <p>7 A. He was -- he was fighting Draco. I guess that's the</p> <p>8 name of his father-in-law's dog.</p> <p>9 Q. Had you ever heard of or seen Draco before?</p> <p>10 A. I have heard of him.</p> <p>11 Q. Do you know what kind of dog Draco was?</p> <p>12 A. I have no idea.</p> <p>13 Q. Do you remember if you had ever seen Draco before?</p> <p>14 A. I believe I did once. They lived all the way at the</p> <p>15 end of the dead-end street. I never went down that</p> <p>16 way really.</p> <p>17 MR. SCHOTTEL: Objection. Nonresponsive to</p> <p>18 the question.</p> <p>19 Q. (By Mr. Phillips) Do you remember where you saw or</p> <p>20 think you saw Draco?</p> <p>21 A. At the father-in-law's house.</p> <p>22 Q. Had you been to the father-in-law's house?</p> <p>23 A. Not exactly there, but down there.</p> <p>24 Q. And when we say "the father-in-law," you're talking</p> <p>25 about Mr. Roper's father-in-law?</p>
<p style="text-align: right;">Page 35</p> <p>1 Q. So he was looking at Max with his gun out?</p> <p>2 A. (Nods head.)</p> <p>3 Q. "Yes"?</p> <p>4 A. Yes.</p> <p>5 Q. Was Roper wearing a police uniform?</p> <p>6 A. I don't remember what he was wearing.</p> <p>7 Q. Do you remember what kind of vehicle Roper was in or</p> <p>8 occupying?</p> <p>9 A. There was no vehicle outside. His vehicle was down</p> <p>10 the street.</p> <p>11 Q. Okay. What kind of vehicle was that?</p> <p>12 A. They have a black -- I'm not sure what it is. I</p> <p>13 don't know.</p> <p>14 Q. Was it a police vehicle?</p> <p>15 A. I don't know. I don't know.</p> <p>16 Q. Did it have lights on top of it?</p> <p>17 A. Their personal vehicle was down there. It was a</p> <p>18 black SUV.</p> <p>19 Q. Okay. So they had their personal vehicle?</p> <p>20 A. That was down there, yes.</p> <p>21 Q. Did you see any police vehicles there that you</p> <p>22 associated with the Ropers?</p> <p>23 A. I didn't observe the area that well to really know.</p> <p>24 I don't know. I was too worried about the incident.</p> <p>25 Q. Okay. So you see Roper is looking at Max. What</p>	<p style="text-align: right;">Page 37</p> <p>1 A. Correct.</p> <p>2 Q. Do you remember his name?</p> <p>3 A. I believe Jeff.</p> <p>4 Q. Do you remember his last name?</p> <p>5 A. Wahlberg.</p> <p>6 Q. Do you know how to spell it?</p> <p>7 A. No.</p> <p>8 Q. Okay. So you're outside, you're speaking with</p> <p>9 Roper. Are there other people around outside with</p> <p>10 you guys?</p> <p>11 A. No.</p> <p>12 Q. At some point do you see other people outside?</p> <p>13 A. Not in our area, no.</p> <p>14 Q. Are there other people that are coming out just to</p> <p>15 look around or something?</p> <p>16 A. There were people down at the end of the street.</p> <p>17 Q. Do you know who they were?</p> <p>18 A. His wife and stepchildren.</p> <p>19 Q. And we're talking about Mrs. Roper and her kids?</p> <p>20 A. Yes.</p> <p>21 Q. Do you know her kids' names?</p> <p>22 A. Yes.</p> <p>23 Q. What are their names?</p> <p>24 A. Jacob, Devon, Kailee or Kylea, something like that.</p> <p>25 Q. Do you know their approximate ages?</p>

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<p>1 A. No.</p> <p>2 Q. Okay. So you see the Ropers, their kids. Anyone</p> <p>3 else?</p> <p>4 A. No. I wasn't observing everyone out there. I was</p> <p>5 worried about my dog.</p> <p>6 Q. Okay. So you've spoken with Roper. He tells you</p> <p>7 why he shot Max. What happens next?</p> <p>8 A. He told me that he got in a fight with Draco. And</p> <p>9 after that I just kind of -- I had to get away from</p> <p>10 him because I was upset. My wife came out and she</p> <p>11 was upset. I believe they exchanged a few words,</p> <p>12 and then I had to distance myself from the situation.</p> <p>13 Q. What did you do?</p> <p>14 A. I just kind of stepped off to the side to be by</p> <p>15 myself for a moment.</p> <p>16 Q. While you were off on the side to be by yourself,</p> <p>17 were you aware of what was going on between your</p> <p>18 wife and the Ropers?</p> <p>19 A. Yes.</p> <p>20 Q. In general, what was happening there?</p> <p>21 A. They were discussing -- I knew what was going on. I</p> <p>22 was just keeping myself from commenting.</p> <p>23 Q. Was anybody yelling?</p> <p>24 A. What do you mean "yelling"? Like --</p> <p>25 Q. Do you want me to define the word "yelling"?</p>	<p>1 town.</p> <p>2 Q. Just in passing?</p> <p>3 A. Uh-huh, yes.</p> <p>4 Q. Was that officer in uniform?</p> <p>5 A. Yes.</p> <p>6 Q. Did he arrive in a patrol vehicle?</p> <p>7 A. Yes.</p> <p>8 Q. You also said that a deputy showed up?</p> <p>9 A. Yes.</p> <p>10 Q. Was that Justin Eudaley?</p> <p>11 A. Yes.</p> <p>12 Q. Had you ever interacted with him before?</p> <p>13 A. No.</p> <p>14 Q. Was he in uniform?</p> <p>15 A. Yes.</p> <p>16 Q. Was he in a patrol vehicle?</p> <p>17 A. Yes.</p> <p>18 Q. Did you speak with the uniformed Van Buren officer?</p> <p>19 A. After everything settled down, he came inside the</p> <p>20 residence and spoke to us. Yes.</p> <p>21 Q. Do you remember in general what it is that he said</p> <p>22 to you?</p> <p>23 A. Just questioned us about the situation, what we</p> <p>24 observed, I believe.</p> <p>25 Q. Was the deputy with him while this is going on?</p>
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<p>1 A. Do you mean angrily screaming or loudly talking?</p> <p>2 Q. I mean yelling, whatever you think that means.</p> <p>3 A. My wife and -- was asking him about what was going</p> <p>4 on too. She was getting loud, yeah.</p> <p>5 Q. How was Mr. Roper behaving?</p> <p>6 A. Nervous.</p> <p>7 Q. So you go off to the side, you're hearing this.</p> <p>8 What do you do next?</p> <p>9 A. About that time is when police officers started</p> <p>10 showing up.</p> <p>11 Q. Okay. Do you -- did you know any of those people?</p> <p>12 A. Which people?</p> <p>13 Q. Well, you said "officers started showing up." Did</p> <p>14 more than one show up?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. Do you know who showed up?</p> <p>17 A. One was Eudaley. He's a sheriff's deputy. And</p> <p>18 there was also another Van Buren police officer too.</p> <p>19 Q. Did you know that Van Buren police officer?</p> <p>20 A. That one, no, I do not.</p> <p>21 Q. Do you know his name?</p> <p>22 A. No.</p> <p>23 Q. Prior to this incident, to your knowledge, had you</p> <p>24 ever interacted with that Van Buren police officer?</p> <p>25 A. I'm sure I've spoken to him before in the -- small</p>	<p>1 A. The -- I'm sorry. Did you say the police officer</p> <p>2 come in and question us? It was the deputy who</p> <p>3 questioned us.</p> <p>4 Q. Okay. Okay.</p> <p>5 A. Yes.</p> <p>6 Q. So the deputy came inside and questioned you?</p> <p>7 A. Yes.</p> <p>8 Q. Did the officer come inside and question you at all?</p> <p>9 A. No.</p> <p>10 Q. Do you remember what, if anything, the officer did?</p> <p>11 A. He handed the case over to the deputy.</p> <p>12 Q. Okay. Do you know if the deputy spoke with the</p> <p>13 Ropers after that or before that?</p> <p>14 A. Yes.</p> <p>15 Q. Were you able to see the deputy speak with the</p> <p>16 Ropers?</p> <p>17 A. Yes.</p> <p>18 Q. Do you know what Mrs. Roper does for a living?</p> <p>19 A. No.</p> <p>20 Q. Do you have any reason to believe that Officer Roper</p> <p>21 was working or on duty at the time of this incident?</p> <p>22 A. I don't know.</p> <p>23 Q. Are you familiar with Sheriff Richard Stephens?</p> <p>24 A. Yes.</p> <p>25 Q. How do you know him?</p>

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<p>1 A. The sheriff of Carter County.</p> <p>2 Q. Could you describe the nature of your relationship</p> <p>3 with him?</p> <p>4 A. There isn't one.</p> <p>5 Q. Did you ever interact with him before this incident?</p> <p>6 A. No.</p> <p>7 Q. Are you aware of any connection between</p> <p>8 Sheriff Stephens and your wife?</p> <p>9 A. No.</p> <p>10 Q. Earlier I think you indicated that Roper told you</p> <p>11 that your dogs were attacking another dog; is that</p> <p>12 fair?</p> <p>13 MR. SCHOTTEL: Objection. Misstates his</p> <p>14 testimony.</p> <p>15 Subject to that, you can answer the question.</p> <p>16 A. Repeat, please.</p> <p>17 Q. (By Mr. Phillips) What did Roper say to you about</p> <p>18 why he shot Max?</p> <p>19 A. He was -- he was fighting Draco.</p> <p>20 Q. Okay. Did you see Draco?</p> <p>21 A. No.</p> <p>22 Q. Are you aware of any prior incidents between your</p> <p>23 dogs and Draco before this?</p> <p>24 A. No.</p> <p>25 Q. We've talked about Max quite a bit, but I haven't</p>	<p>1 A. Front right elbow.</p> <p>2 Q. Okay. What did you do then?</p> <p>3 A. I picked her up and took her inside and -- to</p> <p>4 oversee the damage.</p> <p>5 Q. And did you do something to treat her?</p> <p>6 A. Took her to the vet.</p> <p>7 Q. When did you take her to the vet?</p> <p>8 A. That following morning.</p> <p>9 Q. Approximately what time of day did this incident</p> <p>10 occur?</p> <p>11 A. Before noon, I want to say.</p> <p>12 Q. So the next morning you took Nina to the vet; right?</p> <p>13 A. Yes.</p> <p>14 Q. And was that the -- what was the name of the vet?</p> <p>15 A. It was the Mountain View Animal Clinic.</p> <p>16 Q. Okay. And I understand that you're not a vet, but</p> <p>17 could you describe what your understanding is as to</p> <p>18 what they did to treat her?</p> <p>19 A. First, they thought they were going to have to</p> <p>20 amputate it. And then he wanted to try to save it.</p> <p>21 So he fused it -- fused the elbow to make it solid</p> <p>22 to where she could possibly still use it.</p> <p>23 Q. Okay. Did she stay at the vet overnight?</p> <p>24 A. She stayed a few nights.</p> <p>25 Q. What -- what happened to Max? Did you take Max's</p>
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<p>1 heard much about Nina. Are you claiming that</p> <p>2 Officer Roper shot Nina also?</p> <p>3 A. Yes.</p> <p>4 Q. Where was Nina while you were outside and witnessing</p> <p>5 or seeing Officer Roper and Max?</p> <p>6 A. She was hiding behind the enclosure -- in between</p> <p>7 the enclosure and the camper trailer.</p> <p>8 Q. Okay. Is that in the backyard?</p> <p>9 A. Yes.</p> <p>10 Q. And then when you were outside interacting with</p> <p>11 Roper and seeing Max, was that in the front yard or</p> <p>12 the front part of the house?</p> <p>13 A. It's all -- the whole side of the house is open, so</p> <p>14 it's really no front and back. It's just -- yeah.</p> <p>15 I was on the side.</p> <p>16 Q. So you were in a side area?</p> <p>17 A. Yes.</p> <p>18 Q. When did you first become aware of Nina hiding?</p> <p>19 A. When -- after all the police left, I went to look</p> <p>20 for her. I couldn't find her. I walked around the</p> <p>21 enclosure in the back of the yard, saw her laying on</p> <p>22 the ground with her arm bleeding. And she was only</p> <p>23 walking on three legs.</p> <p>24 Q. And you kind of indicated, was that the right front</p> <p>25 leg that was injured?</p>	<p>1 body to the vet? Did you bury Max?</p> <p>2 A. I buried him.</p> <p>3 Q. Okay. So Nina is at the animal clinic for at least</p> <p>4 a few days; is that right?</p> <p>5 A. Yes.</p> <p>6 Q. And then she's released to you; right?</p> <p>7 A. Yes.</p> <p>8 Q. Did the clinic send her home with prescriptions?</p> <p>9 A. Yes.</p> <p>10 Q. Do you remember what they were?</p> <p>11 A. I don't recall the exact name.</p> <p>12 Q. Did she have any kind of supportive devices to help</p> <p>13 her move around, that sort of thing?</p> <p>14 A. Yes.</p> <p>15 Q. Could you describe that?</p> <p>16 A. Like a cast type splint thing.</p> <p>17 Q. Was that something that stayed on her while she</p> <p>18 healed and then was taken off?</p> <p>19 A. Yes.</p> <p>20 Q. Do you know roughly how long it took for her to</p> <p>21 recover?</p> <p>22 A. She never recovered.</p> <p>23 Q. How so? What was -- what was different from how she</p> <p>24 was after this incident versus what she was like</p> <p>25 before?</p>

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<p style="text-align: right;">Page 46</p> <p>1 A. She walked on four legs before and then she walked 2 on three after. 3 Q. She had all four, but she would only use three? 4 A. Yes. 5 Q. Who paid for Nina's treatment? 6 A. No one. 7 Q. Did the vet bills just go to collections or 8 something? 9 A. We've paid partial. It's not completely paid. 10 Q. How much have you paid? 11 A. I don't know right off the top of my head. 12 Q. Do you have an understanding as to roughly how much 13 was left unpaid? 14 A. I would have to refer to our documents. I'm not 15 sure. 16 Q. And you've already provided those documents to your 17 attorney to give to us; right? 18 A. I believe so. 19 Q. When you say that you had paid part of the vet 20 bills, was that you and your wife paying? 21 A. Yes. 22 Q. I'm just going to ask you: What is it that you're 23 saying my clients did wrong? 24 MR. SCHOTTEL: Objection to the form. That's 25 not seeking facts. You can rephrase the question,</p>	<p style="text-align: right;">Page 48</p> <p>1 MR. PHILLIPS: Okay. And he can answer to 2 the best of his ability. 3 MR. SCHOTTEL: I'm not going to let my client 4 make a legal conclusion. You're asking questions, 5 legal questions. If you want to argue about that 6 with me, that's fine, but this is a deposition to 7 discover facts. It's beyond the scope of the rules. 8 Q. (By Mr. Phillips) Mr. Mesey, are you going to do 9 what your attorney suggests and just not answer any 10 questions about what you think my client did wrong? 11 Mr. Mesey? 12 MR. SCHOTTEL: As the questions are phrased, 13 I'm instructing you not to answer those questions. 14 Q. (By Mr. Phillips) Mr. Mesey, are you following the 15 orders of your attorney? 16 A. Yes. 17 (Deposition Exhibit 1 is marked for 18 identification.) 19 Q. (By Mr. Phillips) Mr. Mesey, I'm going to show you 20 what's been marked as Exhibit 1, which I will 21 represent to you are your written interrogatory 22 answers. What I would like you to do is review 23 those. And after you're done reviewing, let me 24 know. 25 A. Okay.</p>
<p style="text-align: right;">Page 47</p> <p>1 but I'm not going to let him answer a question like 2 that. Discovery is intended to discover facts. 3 MR. PHILLIPS: Sure. 4 Q. (By Mr. Phillips) What facts do you think 5 demonstrate that my client did something wrong? 6 MR. SCHOTTEL: Objection. Overbroad, vague. 7 MR. PHILLIPS: Are you serious? 8 MR. SCHOTTEL: Uh-huh. 9 MR. PHILLIPS: You're recommending he not 10 answer this question? 11 MR. SCHOTTEL: Of course. Asks for a legal 12 conclusion too. I'm not going to let you sit there 13 and ask my client to make a legal conclusion. 14 MR. PHILLIPS: I'm not asking him a legal 15 question. 16 MR. SCHOTTEL: You are. 17 MR. PHILLIPS: I'm asking liability. 18 Q. (By Mr. Phillips) I'm asking you, Mr. Mesey, 19 morally, what is it my client did wrong in this 20 case? 21 MR. SCHOTTEL: Morally? Same objection. 22 Q. (By Mr. Phillips) What -- Mr. Mesey, what connection 23 is there between this incident and my client? 24 MR. SCHOTTEL: Same objection. Calls for a 25 legal conclusion. He's not an attorney.</p>	<p style="text-align: right;">Page 49</p> <p>1 Q. Mr. Mesey, having reviewed those answers, are those 2 answers still accurate and correct? 3 A. Yes. 4 MR. PHILLIPS: Okay. All right. I pass the 5 witness unless you want to take a break. 6 MS. KAYSER: I want to take a really quick 7 break and then we can come back. 8 (Break in proceedings from 12:29 p.m. to 9 12:34 p.m.) 10 EXAMINATION 11 BY MS. KAYSER: 12 Q. Hello, Mr. Mesey. My name is Portia Kayser. I 13 represent Charles Roper in this lawsuit. I'm going 14 to probably jump around a little bit because I'm 15 just trying to fill in a couple of blanks from 16 Mr. Phillips' questioning. Okay. So if you don't 17 follow me, just let me know. 18 A. Okay. 19 Q. All right. Do you have any pending charges against 20 you? 21 A. No. 22 Q. There aren't any charges for educational neglect? 23 A. Yes, there is on that. 24 Q. Okay. And you're set for next Tuesday for a 25 disposition hearing on that; is that correct?</p>



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<p style="text-align: right;">Page 50</p> <p>1 A. Correct.</p> <p>2 Q. Okay. Do you recall how many charges are against</p> <p>3 you?</p> <p>4 A. Two. There was three, but two. It's been reduced</p> <p>5 to two.</p> <p>6 Q. Is that because Chloe went to live with her aunt?</p> <p>7 A. It's because Chloe is not my biological daughter.</p> <p>8 Q. Okay. Are three still pending against your wife?</p> <p>9 A. She finalized hers. I'm not sure the outcome.</p> <p>10 Q. When?</p> <p>11 A. I'm not sure.</p> <p>12 Q. Okay. Are you familiar with a gentleman by name of</p> <p>13 Brandon Smith?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And how do you know Mr. Smith?</p> <p>16 A. He is the father-in-law's neighbor.</p> <p>17 Q. And does Mr. Smith have a dog?</p> <p>18 A. He has two.</p> <p>19 Q. Have you ever had any interactions with Mr. Smith</p> <p>20 related to your dogs?</p> <p>21 A. My Chihuahua.</p> <p>22 Q. And can you tell me about that incident, please?</p> <p>23 A. He was riding his motorcycle down the street. And</p> <p>24 he said that a dog was nipping at his feet as he was</p> <p>25 driving. He thought that it was mine. I took my</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. And you are aware that your wife indicated that it</p> <p>2 was, in fact, your dog that was identified by the</p> <p>3 victim in this case, Mr. Smith; correct?</p> <p>4 MR. SCHOTTEL: Objection. Misstates the</p> <p>5 report.</p> <p>6 Subject to that, you can answer the question.</p> <p>7 A. Could you repeat, please?</p> <p>8 MS. KAYSER: Can you just read that back?</p> <p>9 (The requested portion of the record was read</p> <p>10 by the reporter.)</p> <p>11 A. She never indicated nothing to me. I don't</p> <p>12 understand what you mean.</p> <p>13 Q. (By Ms. Kayser) Okay. Did she tell you that your</p> <p>14 dog attacked the neighbor?</p> <p>15 A. No. The police officer did.</p> <p>16 Q. Okay. You talked earlier about an incident between</p> <p>17 Max and another neighbor's dog; correct?</p> <p>18 A. Yes.</p> <p>19 Q. And does the name Darren Clark refresh your</p> <p>20 recollection as to who that neighbor was?</p> <p>21 A. No.</p> <p>22 Q. Was Max injured in that scuffle with the neighbor's</p> <p>23 dog?</p> <p>24 A. No.</p> <p>25 Q. Was Max ever injured prior to the date of the</p>
<p style="text-align: right;">Page 51</p> <p>1 Chihuahua down there and asked him if this was the</p> <p>2 dog and he could not identify the dog, so he didn't</p> <p>3 know.</p> <p>4 Q. Were the police called?</p> <p>5 A. Yes.</p> <p>6 (Deposition Exhibit 2 is marked for</p> <p>7 identification.)</p> <p>8 MR. SCHOTTEL: There you go, Robin. Read the</p> <p>9 second page.</p> <p>10 While he's reading, I'll just state for the</p> <p>11 record I'll have a running objection involving any</p> <p>12 questions involving this incident because it was</p> <p>13 after the incident subject to this case. And it</p> <p>14 also did not involve either of the two dogs that</p> <p>15 Mr. Roper shot.</p> <p>16 MS. KAYSER: Your objection is noted. Thank</p> <p>17 you.</p> <p>18 Q. (By Ms. Kayser) Okay. Are you familiar with the</p> <p>19 incident that is described in that police report?</p> <p>20 A. Yes.</p> <p>21 Q. Were you aware that your wife was cited for having</p> <p>22 an unrestrained dog?</p> <p>23 A. That ticket never was processed.</p> <p>24 Q. That's not my question.</p> <p>25 A. Yes, yes.</p>	<p style="text-align: right;">Page 53</p> <p>1 incident that we're here to talk about today?</p> <p>2 A. No.</p> <p>3 Q. What about Nina? Had Nina ever been injured in any</p> <p>4 way prior to the incident?</p> <p>5 A. No.</p> <p>6 Q. Okay. What happened to Nina three or four months</p> <p>7 ago?</p> <p>8 A. She got sick.</p> <p>9 Q. Do you know what she was sick with?</p> <p>10 A. She got heartworms.</p> <p>11 Q. How many litters did Nina have when you -- during</p> <p>12 the time that you owned her?</p> <p>13 A. Two.</p> <p>14 Q. And what happened to the puppies from those litters?</p> <p>15 A. The first litter was the one Max was in. We kept</p> <p>16 Max and got rid of the other ones.</p> <p>17 Q. Okay. And the second litter, when was that?</p> <p>18 A. A few years later.</p> <p>19 Q. Okay. So Max was only two when he was killed. Was</p> <p>20 her second litter -- was Nina's second litter after</p> <p>21 this incident or before?</p> <p>22 A. Before.</p> <p>23 Q. And what happened to those puppies?</p> <p>24 A. They didn't make it.</p> <p>25 Q. When you said you got rid of the other puppies from</p>



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<p style="text-align: right;">Page 54</p> <p>1 Max's litter, how many other dogs were there?</p> <p>2 A. Altogether, I believe she had ten.</p> <p>3 Q. And did all of those pups make it?</p> <p>4 A. No.</p> <p>5 Q. How many survived?</p> <p>6 A. Five boys, one girl.</p> <p>7 Q. Did you give away the other five puppies other than</p> <p>8 Max or did you sell them -- how did they --</p> <p>9 A. Sold them.</p> <p>10 Q. How much did you sell them for?</p> <p>11 A. \$200 per pup.</p> <p>12 Q. Same amount for the males and the females -- female?</p> <p>13 A. Yes.</p> <p>14 Q. I know that Mr. Phillips asked you a couple of</p> <p>15 questions about Deputy Eudaley. Did you know</p> <p>16 Deputy Eudaley prior to this incident?</p> <p>17 A. I knew who he was.</p> <p>18 Q. Had you ever socialized with him?</p> <p>19 A. No.</p> <p>20 Q. How did you know who he was?</p> <p>21 A. Local law enforcement.</p> <p>22 Q. Do you know where Mr. Eudaley is now?</p> <p>23 A. No.</p> <p>24 Q. Are you aware that he's no longer with the sheriff's</p> <p>25 department?</p>	<p style="text-align: right;">Page 56</p> <p>1 the house? Let me play it again.</p> <p>2 MR. SCHOTTEL: Can you pause it for a second?</p> <p>3 Can you give us some background on who and when this</p> <p>4 body camera is from?</p> <p>5 MS. KAYSER: Sure. This is a body camera</p> <p>6 video provided by Van Buren Police Department for</p> <p>7 the officer who responded on the day of the</p> <p>8 incident.</p> <p>9 Q. (By Ms. Kayser) I'll pause it right here. Is this</p> <p>10 light blue house the house that you were living in</p> <p>11 at the time of the incident?</p> <p>12 A. Yes.</p> <p>13 Q. And that's your father-in-law's house?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Can you identify from this still shot here</p> <p>16 about where the dog run would be?</p> <p>17 A. It wasn't a run.</p> <p>18 Q. It was just an enclosure?</p> <p>19 A. Uh-huh. Back there. You can see the roof.</p> <p>20 Q. Okay. So the enclosure in the backyard where you</p> <p>21 kept the dog actually was a building with a roof on</p> <p>22 it?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Now, the dog that's coming down this driveway</p> <p>25 or walkway in front of the house, is that one of</p>
<p style="text-align: right;">Page 55</p> <p>1 A. I have no idea. No.</p> <p>2 Q. Do you have any idea where Mr. Eudaley lives?</p> <p>3 A. No.</p> <p>4 Q. Did your father-in-law have any dogs of his own that</p> <p>5 were living in the home with you at the time of the</p> <p>6 incident?</p> <p>7 A. No.</p> <p>8 Q. Is your Chihuahua a purebred or is it a mix?</p> <p>9 A. Mix.</p> <p>10 Q. Do you know what it's mixed with?</p> <p>11 A. No.</p> <p>12 Q. Has that dog had any incidents with biting other</p> <p>13 dogs or being in scuffles with other dogs?</p> <p>14 A. No.</p> <p>15 Q. Other than the dog bite with Mr. Smith?</p> <p>16 A. No.</p> <p>17 Q. I would like to show you a clip from the body camera</p> <p>18 video.</p> <p>19 MS. KAYSER: Would you like to see this</p> <p>20 first, Jim?</p> <p>21 MR. SCHOTTEL: No. I'll watch it at the same</p> <p>22 time.</p> <p>23 Q. (By Ms. Kayser) Just a couple of minutes of it so I</p> <p>24 can identify whether or not this is your other dog.</p> <p>25 Did you see that dog that was out in front of</p>	<p style="text-align: right;">Page 57</p> <p>1 your dogs?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Is that Bella?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And is Bella on a leash?</p> <p>6 A. She was outside with my son.</p> <p>7 Q. Okay. That's not really my question. Is she --</p> <p>8 A. No.</p> <p>9 Q. I'm not sure if I can see if there's, like, a chain</p> <p>10 or something. Is she restrained in that way?</p> <p>11 A. No.</p> <p>12 Q. No. Do you have an electric fence that goes around</p> <p>13 this property?</p> <p>14 A. No.</p> <p>15 Q. Okay. Now, is this your wife that we're seeing in</p> <p>16 the video now?</p> <p>17 A. Yes.</p> <p>18 Q. Standing there on the phone.</p> <p>19 Do you hear that statement at the end where</p> <p>20 your wife asked who let my dog out?</p> <p>21 A. Uh-huh.</p> <p>22 Q. Did you guys ever figure out who let the dog out of</p> <p>23 the house?</p> <p>24 A. No one did.</p> <p>25 Q. Well, how did Max and Nina get out of the house?</p>

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<p style="text-align: right;">Page 58</p> <p>1 A. They were actually -- he busted the door.</p> <p>2 Q. Who busted the door?</p> <p>3 A. Max.</p> <p>4 Q. Okay. And did you hear him when he busted the door?</p> <p>5 A. No.</p> <p>6 Q. Had he ever busted the door before?</p> <p>7 A. No.</p> <p>8 Q. Now, do you recognize this vehicle?</p> <p>9 A. Yes.</p> <p>10 Q. That's a Van Buren police car; right?</p> <p>11 A. Yes.</p> <p>12 Q. Did you see my client, Mr. Roper, in a vehicle like</p> <p>13 this on the day of the incident?</p> <p>14 A. I didn't. Like I said, I didn't see a vehicle out</p> <p>15 in front of the house.</p> <p>16 Q. Okay. Did you see only this Van Buren police</p> <p>17 vehicle or did you see a second Van Buren police</p> <p>18 vehicle on the day of the incident?</p> <p>19 A. I didn't see -- no, I didn't see any vehicles.</p> <p>20 Q. Other than this one? Well, this is parked out in</p> <p>21 front of your house. That's a bad question. You're</p> <p>22 right.</p> <p>23 Did you see a police vehicle out in front of</p> <p>24 your house?</p> <p>25 A. Several.</p>	<p style="text-align: right;">Page 60</p> <p>1 A. Yes.</p> <p>2 Q. Do you know whose vehicle that is?</p> <p>3 A. That's her father's.</p> <p>4 Q. Okay. Do you see what my client is wearing right</p> <p>5 there?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. So he's in blue jeans and a jacket; right?</p> <p>8 A. Yes.</p> <p>9 Q. Do you see any police uniform attire on my client</p> <p>10 right there?</p> <p>11 A. No.</p> <p>12 MS. KAYSER: Okay. That is all I have from</p> <p>13 this one.</p> <p>14 MR. SCHOTTEL: Since we're on the record,</p> <p>15 where did you get the video from?</p> <p>16 MS. KAYSER: From the Van Buren Police</p> <p>17 Department.</p> <p>18 MR. SCHOTTEL: Okay. And did you turn this</p> <p>19 over to us?</p> <p>20 MR. PHILLIPS: I don't know.</p> <p>21 MR. SCHOTTEL: That's the first time I've</p> <p>22 seen this video, and I know we've asked. Initial</p> <p>23 disclosures requires disclosure of a video like</p> <p>24 this. So...</p> <p>25 MR. PHILLIPS: Rule 26 disclosures are</p>
<p style="text-align: right;">Page 59</p> <p>1 Q. Several. How many from Van Buren?</p> <p>2 A. I don't know. I wasn't paying attention.</p> <p>3 Q. Okay. Do you know who's speaking right now in this</p> <p>4 video, the gentleman in the blue jeans and the</p> <p>5 T-shirt?</p> <p>6 A. Darren Clark.</p> <p>7 Q. Okay. So you are familiar with Mr. Clark?</p> <p>8 A. Yes.</p> <p>9 Q. How do you know Mr. Clark?</p> <p>10 A. He lived across the street from Jeff Wahlberg.</p> <p>11 Q. Okay. Do you recognize this gentleman? It's</p> <p>12 difficult, I know, because the officer's body cam</p> <p>13 doesn't catch people's faces very often. But do you</p> <p>14 recognize that person?</p> <p>15 A. I don't see a face.</p> <p>16 Q. Now, that's my client, Charles Roper; right?</p> <p>17 A. Yes.</p> <p>18 Q. And did you see the vehicle that he was getting</p> <p>19 something out of? Are you familiar with that red</p> <p>20 SUV?</p> <p>21 A. Yes.</p> <p>22 Q. Do you know whose vehicle that is?</p> <p>23 A. His son's.</p> <p>24 Q. Okay. Do you recognize the other SUV vehicle that's</p> <p>25 there?</p>	<p style="text-align: right;">Page 61</p> <p>1 documents that I intend to use. It's not just any</p> <p>2 document that could possibly relate to something.</p> <p>3 And I honestly don't remember. I've not looked</p> <p>4 through my file to see what I gave you lately, but I</p> <p>5 can certainly do so.</p> <p>6 MR. SCHOTTEL: Right. Can you please turn</p> <p>7 over this video?</p> <p>8 MR. PHILLIPS: Yeah. If I have it, I will</p> <p>9 turn it over to you.</p> <p>10 MS. KAYSER: There are two. There is an</p> <p>11 initial video from when Max was still in the road.</p> <p>12 And then this is the second video. So there's two</p> <p>13 from Van Buren.</p> <p>14 MR. SCHOTTEL: Okay. Do you --</p> <p>15 MS. KAYSER: And do you have all of the ones</p> <p>16 from the Carter County Sheriff's Department as well?</p> <p>17 MR. SCHOTTEL: Did you subpoena them?</p> <p>18 MS. KAYSER: I did a Sunshine Law request to</p> <p>19 Carter County and got theirs. I don't know if you</p> <p>20 received those as well.</p> <p>21 MR. SCHOTTEL: Okay. But they are Van Buren?</p> <p>22 MS. KAYSER: These are Van Buren, yeah.</p> <p>23 MR. SCHOTTEL: And you represent Van Buren,</p> <p>24 right, Damon?</p> <p>25 MR. PHILLIPS: I'm not objecting to giving</p>

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1 you the video. I just don't remember if I've given  
 2 it to you before.  
 3 MR. SCHOTTEL: That's the first time I've  
 4 seen it. I would remember if I had a copy. But if  
 5 you could please turn those over, that would be  
 6 greatly appreciated. Thank you.  
 7 Sorry about that, Portia. You can continue.  
 8 MS. KAYSER: That's just fine.  
 9 Sir, actually that's all the questions I have  
 10 for you. I appreciate your time.  
 11 MR. SCHOTTEL: Thank you. We'll read.  
 12 THE COURT REPORTER: Does everyone want an  
 13 etran?  
 14 MS. KAYSER: Yes.  
 15 MR. PHILLIPS: Yeah.  
 16 THE COURT REPORTER: Do you want an etran?  
 17 MR. SCHOTTEL: That would be fine.  
 18 (Witness excused at 12:59 p.m.)  
 19  
 20  
 21  
 22  
 23  
 24  
 25

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1 REPORTER'S CERTIFICATE  
 2  
 3 STATE OF MISSOURI )  
 4 ) ss  
 5 COUNTY OF GREENE )  
 6  
 7 I, ERICA WHITE, Certified Court  
 8 Reporter, do hereby certify that the witness  
 9 was duly sworn by me; that the facts stated by  
 10 me in the caption hereof are true; that the  
 11 said witness did make the above and foregoing  
 12 answers in response to questions propounded as  
 13 shown; that I did, in stenotype, report said  
 14 proceedings; and that the above and foregoing  
 15 typewritten pages contain a full, true, and  
 16 correct transcription of my shorthand notes  
 17 taken on such occasion. That presentment by me  
 18 to the witness for signature was waived; that  
 19 the deposition will be thereafter by the  
 20 witness read over, signed, and sworn to on or  
 21 before the date of trial; that said deposition  
 22 is now herewith returned.  
 23  
 24 I further certify that I am neither  
 25 attorney for, nor counsel for, nor related to,  
 nor employed by any of the parties to the  
 action in which this deposition was taken; and,  
 further, that I am not a relative or employee  
 of any attorney or counsel employed by the  
 parties hereto, or financially interested in  
 the action.  
 ERICA WHITE  
 ERICA A. WHITE, CCR  
 ALPHA REPORTING & VIDEO  
 1911 S. National  
 Suite 405  
 Springfield, Missouri 65804  
 (417) 887-4110

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1 DEPONENT'S SIGNATURE PAGE  
 2  
 3  
 4  
 5 In Re: Mesey vs. City of Van Buren, et al.  
 6 1:19-CV-71; USDC  
 7 Taken: August 19, 2020  
 8  
 9 - - - - -  
 10  
 11  
 12 ROBIN MESEY  
 13  
 14 Subscribed and sworn to before me  
 15 this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.  
 16  
 17  
 18 Notary Public  
 19 My commission expires:  
 20  
 21  
 22  
 23  
 24  
 25

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